HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO.26544 OF 2007

DATE:13.12.2007

Between:

Rekhala Lingaiah

..... PETITIONER

AND

The District Collector,
O/o.Collectorate, Nalgonda & 4 others.

.....RESPONDENTS

HON'BLE SRI JUSTICE R. SUBHASH REDDY

W.P. No.26544 OF 2007

ORDER:

In this Writ Petition, the petitioner seeks direction by way of Mandamus to direct the respondents 1 to 4 to handover possession of the land covered by Sy.Nos.723, 726 & 732 situated at Addagudur Village, Mothukur Mandal, Nalgonda District, which is allegedly in the possession of 5th respondent.

Even according to the petitioner, the lands covered by Sy.Nos.723, 726 & 732 situated at Addagudur Village are Inam lands and the petitioner being a Village Servant, is entitled to be in possession of the said land admeasuring about Ac.2.12 gts. It is only his grievance that 5th respondent has encroached into the land and respondents 1 to 4 are not taking any action to see that possession is delivered to the petitioner from the 5th respondent. If the 5th respondent on his own encroached into the land in question, it is for the petitioner to seek appropriate remedy from the Civil Court but he cannot seek a Mandamus from this Court to direct the respondents 1 to 4 to effect delivery of possession from 5th respondent to the petitioner. The Writ Petition is misconceived and devoid of merits and is liable to be dismissed.

The Writ Petition is accordingly dismissed. No costs.

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R. SUBHASH REDDY, J

13th DECEMBER, 2007.
Tsr